



Patent
728256-100121

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Anthony MAGLICA

Serial No.: 10/020,804

Filed: December 13, 2001

For: TAILCAP AND BULB HOLDER
FOR A FLASHLIGHT

Group Art Unit: 2875

Examiner: Husar, Stephen F.

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

MAG INSTRUMENT, INC., a corporation of the State of California, having a principal place of business at 1635 South Sacramento Avenue, Ontario, California, 91761, holding the entire right, title, and interest to the above-identified application, U.S. Patent Application Serial No. 10/020,804, and U.S. Patent No. 6,193,389, does hereby disclaim the terminal part of any patent granted on U.S. Application Serial No. 10/020,804, which would extend beyond the expiration date of U.S. Patent No. 6,193,389, as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on U.S. Patent Application Serial No. 10/020,804, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,193,389, this agreement to run with any patent granted on U.S. Patent Application Serial No. 10/020,804, and to be binding upon the grantee, its successors, or assigns.

CERTIFICATE OF MAILING
(37 C.F.R. § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

March 17, 2004
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Carolyn L. Evans
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In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on U.S. Patent Application Serial No. 10/020,804 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 6,193,389, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record empowered to make this disclaimer and has reviewed copies of all documents in the chain of title in the patent application and the patents identified above. Title is in the assignee identified above.

Respectfully submitted,

JONES DAY

Dated: March 17, 2004

By: 

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